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EXAMINER

SRIVASTAVA, VIVEK

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/804,910	Applicant(s) YANG ET AL.	
	Examiner Vivek Srivastava	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-13, 15-26 and 28-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-13, 15-26 and 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/20/05 has been entered.

Response to Arguments

(1) Applicants argue the extended electronic guide, as amended, is not displayed or generated in Schoff et al.

The Examiner concurs, please find a new grounds of rejection below.

(2) With regards to claim 7, Applicant's argue the claim requires that the recorded material is time shifted data of a predetermined live stream data. The Office Action cites to page 2, paragraph 17 and alleges that the supplemental material in Schoff is interpreted to be time shifted of a predetermined live stream data. However, Applicants respectfully submit that the cited portion does not teach any time shifting of data

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whatsoever, and in fact, appears to simple describe a situation where a target resource is activated that provides immediate information regarding a program.

The examiner concurs. However, it would have been obvious to modify Shoff to include this limitation based on the knowledge in the art. Please see new grounds for rejection below.

(3) With regards to claims 16 – 21, Applicants argue that the “main menu” is merely a set up menu and does not display any program information of any kind.

The argument is moot in view of new grounds for rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 – 13, 15 – 26 and 28 – 31 are are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff et al. (US PG-PUB 2001/0001160 A1) in view of Matthews, III et al. (U.S. Patent # 6,025,837).

As for Claim 6, Shoff et al. teach system for providing an extended electronic program guide (see Shoff et al. [0015] “An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming

information that is descriptive of the video content programs."), comprising:

at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." Database 54 is interpreted to be a recorded material database with information related to recorded material); It is noted that Shoff discloses recorded video streams.

at least one live stream material database containing at least information regarding at least one of: a current live stream and a future live stream (see Fig 2 database 40, pg 3 (0033) "The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system." Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current live stream and future live stream);

and a database integrator that produces the extended electronic program guide, the database integrator operatively connected to the at least one recorded material database and the at least one live stream database, the extended electronic program guide including information related to the at least one of: a current live stream and a

future live stream (see Fig. 2 database 46, pg 3 [0034] and Fig.3 pg 3 [0039] and [0040]). Shoff expressly teaches that the supplemental interactive contents are stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefore, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).).

Although, Shoff discloses an integrated extended EPG (fig 3) and also disclose displaying a conventional EPG (with program titles and times), Shoff fails to disclose displaying an integrated extended EPG.

In analogous art, Matthews teaches an integrated extended EPG which displays program listings, a preview clip and a supplemental content (see Fig. 5). Matthews further teaches by providing an integrated EPG, "...the viewer can readily identify supplemental information to the programs and access that information directly from the EPG" (see col. 4 lines 59 – 64). Matthews is evidence it would have been well known to display an integrated extended EPG for the benefit of providing and displaying supplemental content directly from the EPG and on a single display screen. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify Shoff to include the claimed displaying an integrated EPG for the benefit of displaying supplemental content directly from a single integrated EPG screen.

Regarding claim 7, the combination of Shoff and Williams fails to disclose wherein the recorded digital material is a time-shifted data of predetermined live stream.

Official Notice is taken it would have been well known in the art to time shift supplemental content by employing VCR type functions thereby enhancing a viewers control of displaying video. Therefore, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify the combination of Shoff and Williams to include time shifting the supplemental video content (in Shoff) for the benefit of enhancing a viewers visual experience by providing greater control and flexibility with respect to viewing the supplemental video content.

As for Claim 8, Shoff et al. teach the recorded material is material derived from a source of digital data (see pg 3 [0033] "The video data streams are sent to the viewer computing units in digital or analog format.").

As for Claim 9, Shoff et al. teach respective recorded material of a plurality of recorded materials is derived from a respective source of digital data of a plurality of digital data (see pg 3 [0033], [0035] and [0039] "The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types.").

As for Claim 10, Shoff et al. teach the at least one recorded material database includes, related to predetermined recorded material, identification data, and optionally, at least one of data representing: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] "The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and

description text." Pg 2 [0017] "the supplemental content might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.").

As for Claim 11, Shoff et al. teach a system for providing an extended electronic program guide (see Shoff et al. [0015] "An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising:

a plurality of digital material databases of digital material (Fig. 2 database 42/52; pg 3 [0033]); It is noted that Shoff discloses recorded video streams; and

a database integrator (Fig. 2, EPG server 44) operatively connected to the plurality of digital material databases, the integrator producing an extended electronic program guide from the plurality of digital material databases (see pg 3 [0034], [0035], [0017], [0040]. Shoff expressly teaches that the supplemental interactive contents are stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefore, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).).

Although, Shoff discloses an integrated extended EPG (fig 3) and also disclose displaying a conventional EPG (with program titles and times), Shoff fails to disclose displaying an integrated extended EPG. See claim 6 for obviousness.

Claim 12 is met by claim 7 above.

As for Claim 13, Shoff et al. teach the digital material database includes, for predetermined stored recorded material data, identification data, and at least one of data representing: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] "The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and description text." Pg 2 [0017] "the supplemental content might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.").

As for Claim 15, Shoff et al. teach the information regarding at Least one of: a current live stream and a future Live stream correspondingly includes at least one of:

identification of the current live stream and identification of the future live stream, and the information related to recorded material includes identification of the recorded material (see fig. 3 unit 58 Supplemental content. The hyperlinks of the supplemental content is interpreted to be information related to recorded material that corresponds to a current live stream and/or future live stream of a program to be transmitted over a network channel, such as CBS or NBC as shown in Fig. 3). The "at least one of" in language of the claim is interpreted by the examiner to mean than only one of the limitations needs to be met.

As for claim 16, Shoff et al. teaches a system for providing an extended electronic program guide, comprising:

at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." Database 54 is interpreted to be a recorded material database with information related to recorded material); It is noted that Shoff discloses recorded video streams.

Shoff further discloses "The Headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system" (see para [0033]) and that satellite communications are DSS technologies employing digital communications (see para [0031]). It is noted the current live digital stream received at the headend inherently comprises ID packets, identifying the program, and that ID packets would inherently be processed to determine information regarding the program i.e. program title to generate the EPG in EPG server 44 regarding the live data stream.

a database integrator (Fig. 2, EPG server 44) operatively connected to the plurality of digital material databases, the integrator producing an extended electronic program guide from the plurality of digital material databases (see pg 3 [0034], [0035], [0017], [0040]. Shoff expressly teaches that the supplemental interactive contents are

stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefore, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).).

Although, Shoff discloses an integrated extended EPG (fig 3) and also disclose displaying a conventional EPG (with program titles and times), Shoff fails to disclose displaying an integrated extended EPG. See claim 6 for obviousness.

As for Claim 17, Shoff et al. teach the digital material database includes, for predetermined stored recorded material data, identification data, and at least one of data representing: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] "The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and description text." Pg 2 [0017] "the supplemental content might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.").

As for Claim 18, Shoff et al. teach the information regarding at Least one of: a current live stream and a future Live stream correspondingly includes at least one of: identification of the current live stream and identification of the future live stream, and the information related to recorded material includes identification of the recorded

material (see fig. 3 unit 58 Supplemental content. The hyperlinks of the supplemental content is interpreted to be information related to recorded material that corresponds to a current live stream and/or future live stream of a program to be transmitted over a network channel, such as CBS or NBC as shown in Fig. 3). The "at least one of" in language of the claim is interpreted by the examiner to mean than only one of the limitations needs to be met.

Claims 19 - 21 are met by the above rejection(s).

As for Claim 22, Shoff et al. teach a method for providing and displaying an extended electronic program guide (see Shoff et al. (0015) "An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising the steps of:

generating at least one recorded material database containing recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." Database 54 is interpreted to be a recorded material database with information related to recorded material);

generating at least one of live stream database containing at least information regarding at least one of a current live stream and a future live stream (see Fig 2

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database 40, pg 3 [0033] "The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system."

Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from, satellite feeds and cable systems on current Live stream and future live stream);

Shoff et al. do not expressly teach producing, for display, the extended electronic program guide by integrating data from the at least one of: the live stream database and the pre-generated database, with data from the at least one recorded material database, the extended electronic program guide including information related to the recorded material and information regarding the at least one of: a current and a future live stream. However, in the same field of endeavor, Matthews, III et al. teach an electronic program guide with hyperlinks to target resources that is produced for display by integrating data from a live stream database with data from recorded supplemental material database. See Matthews, III et al. col. 4 lines 48-65 "One or more hyperlinks, which reference target resources containing interactive supplemental content related to the programs, are displayed within the EPG GUI. The hyperlinks can be placed in the program tiles, channel tiles, or description area, and can be situated alone or embedded within other text. When a viewer activates a hyperlink from the EPG GUI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display

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unit." In light of the teaching of Matthews, III et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Shoff et al. to produce for display the electronic program guide with integrated live and future stream with recorded supplemental material. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide a user with a visual alert for supplemental material available while a user is viewing an EPG. See Matthews, III et al. col. 4 lines 59-65 "By integrating the hyperlinks within the EPG GUI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content."; and

displaying the extended electronic program guide wherein information related to the recorded material is displayed with information regarding the at least one of a current and a future live stream (see Matthews, III et al. fig. 5 information related to recorded material (unit 140 hyperlinks) is shown displayed with information regarding current and future live stream (units 114 and 116)), the information regarding the at least one of a current and a future live stream including correspondingly at least one of: identification of the current live stream and identification of the future live stream (See Matthews, III et al. fig. 5 units 114 channel panel and 116 time panel col. 9 lines 1-10 "The EPG GUI 110 includes a channel panel 114, a time panel 116, a program grid 118, and a program summary panel 120. Channel panel 114 provides a vertical scrolling list

which displays four channel tiles 122 at any one time. Each channel tile 122 includes a channel number and a channel name (typically the network name, such as CBS and ABC), and might also include a channel logo.), and the information related to the recorded material including identification of the recorded material (See Matthews, III et al. fig. 5 unit 140 hyperlinks col. 9 line 56 - col. 10 line 13 'The EPG GUI 1110 also includes hyperlinks 140 integrated as part of the grid. The hyperlinks are supplied with the program records received from the headend 22. These hyperlinks can be inserted into the channel tiles 122, program tiles 124, or the description window 128. In the FIG. 5 illustration, the hyperlink "More" is provided in the description window 128 to reference target resources that contain additional information about this episode of the Seinfeld show. Other hyperlinks in the description window 128 include "Last Week" which references a target resource containing information on the previous week episode, and "comedy club" which links to a target resource having video coverage of comedian Jerry Seinfeld performing at night clubs.").

As for Claim 23, the modified Shoff et al. teach displaying the extended electronic program guide displays a grid of entries, the entries ordered by time, each of the entries indicating presence of existent recorded material when available and associated to the entry. (See Matthews et al. fig. 5. The figure meets all the Limitations of the claim. Also, when an entry is highlighted as is "Seinfeld", the corresponding supplemental information with regards to this entry is presented by hyperlink 140).

As for Claim 24, Shoff et al. teach a system for providing and displaying an extended electronic program guide (see Shoff et al. [0015] "An electronic programming

guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising:

at Least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." Database 54 is interpreted to be a recorded material database with information related to recorded material);

at least one live stream database containing at least information regarding at least one of a current and a future live stream (see Fig 2 database 40, pg 3 [0033] "The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system." Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current live stream and future live stream);

a database integrator operatively connected to the at least one recorded material database and the at least one live stream database, the database integrator integrating

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data from the at least one recorded material database with data from the at least one live stream database (see Fig. 2 database 46, pg 3 [0034] and Fig.3 pg 3 [0039] and [0040]). Shoff expressly teaches that the supplemental interactive contents are stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefore, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).)

Shoff does not expressly teach said integrator to produce, for display, the extended electronic program guide. However, in the same field of endeavor, Matthews, III et al. teach an electronic program guide with hyperlinks to target resources that is produced for display by integrating data from a live stream database with data from recorded supplemental material database. See Matthews, III et al. col. 4 lines 48-65 "One or more hyperlinks, which reference target resources containing interactive supplemental content related to the programs, are displayed within the EPG GUI. The hyperlinks can be placed in the program tiles, channel tiles, or description area, and can be situated alone or embedded within other text. When a viewer activates a hyperlink from the EPG GUI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit." In light of the teaching of Matthews, III et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Shoff et al. to produce for display the electronic program guide with integrated live and future stream with recorded supplemental

material. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide a user with a visual alert of supplemental material available while a user is viewing an EPG. See Matthews, III et al. col. 4 lines 59-65 "By integrating the hyperlinks within the EPG GUI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content."

the extended electronic program guide including information related to the recorded material and information regarding the at least one of a current and a future live stream (see Matthews, III et al. fig. 5), the information regarding the at least one of a current and a future live stream including correspondingly at least one of an identification of the current live stream and an identification of the future live stream (See Matthews, III et al. fig. 5 units 114 channel panel and 116 time panel col. 9 lines 1-10 "The EPG GUI 110 includes a channel panel 114, a time panel 116, a program grid 118, and a program summary panel 120. Channel panel 114 provides a vertical scrolling list which displays four channel tiles 122 at any one time. Each channel tile 122 includes a channel number and a channel name (typically the network name, such as CBS and ABC), and might also include a channel logo. The channel panel 114 defines four rows of program titles in program grid 118. Time panel 116 is a horizontal scrolling continuous time line with markings denoting half-hour time segments. Time panel 116 defines columns in program grid 118."), the information related to the

recorded material including identification of the recorded material (See Matthews, III et al. fig. 5 unit 140 hyperlinks col. 9 line 56 - col. 10 line 13 "The EPG GUI 110 also includes hyperlinks 140 integrated as part of the grid. The hyperlinks are supplied with the program records received from the headend 22. These hyperlinks can be inserted into the channel tiles 122, program tiles 124, or the description window 128. In the FIG. 5 illustration, the hyperlink "More" is provided in the description window 128 to reference target resources that contain additional information about this episode of the Seinfeld show. Other hyperlinks in the description window 128 include "Last Week" which references a target resource containing information on the previous week episode, and "comedy club" which links to a target resource having video coverage of comedian Jerry Seinfeld performing at night clubs.")

As for Claim 25, the limitations of claim 25 fall within the limitations of claim 23. Claims 25 is analyzed and rejected accordingly.

As for Claim 26, Shoff et al. teach a method for providing an extended electronic program guide (see Shoff et al. (0015) "An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising the steps of: generating at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental

content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types.” Database 54 is interpreted to be a recorded material database with information related to recorded material);

generating at least one live stream database containing at least information regarding at least one of: a current and a future live stream (see Fig 2 database 40, pg 3 [0033] “The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system.” Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current Live stream and future live stream); and

Shoff et al. do not expressly teach producing, for display, the extended electronic program guide by integrating data from the at least one of: the live stream database and the pre-generated database, with data from the at least one recorded material database, the extended electronic program guide including information related to the recorded material and information regarding the at least one of: a current and a future live stream. However, in the same field of endeavor, Matthews, III et al. teach an electronic program guide with hyperlinks to target resources that is produced for display by integrating data from a live stream database with data from recorded supplemental material database. See Matthews, III et al. col. 4 lines 48-65 “One or more hyperlinks, which reference target resources containing interactive supplemental content related to

the programs, are displayed within the EPG GUI. The hyperlinks can be placed in the program tiles, channel tiles, or description area, and can be situated alone or embedded within other text. When a viewer activates a hyperlink from the EPG GUI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit." In light of the teaching of Matthews, III et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Shoff et al. to produce for display the electronic program guide with integrated live and future stream with recorded supplemental material. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide a user with a visual alert for supplemental material available while a user is viewing an EPG. See Matthews, III et al. col. 4 lines 59-65 "By integrating the hyperlinks within the EPG GUI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content."

As for Claim 28, Shoff et al. teach the recorded material is material derived from a source of digital data (see pg 3 [0033] "The video data streams are sent to the viewer computing units in digital or analog format.")

As for Claim 29, Shoff et al. teach respective recorded material of a plurality of recorded materials is derived from a respective source of digital data of a plurality of

digital data (see pg 3 [0033], [0035] and [0039] “The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types.”).

As for Claim 30, Shoff et al. teach the recorded material database includes, related to predetermined recorded material, identification data, and optionally at Least one of: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] “The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and description text.” Pg 2 (0017) “the supplemental content might be, for example, questions about the program, games, information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.”).

As for Claim 31, the modified Shoff et al. teach the information regarding at least one of: a current and a future live stream includes correspondingly at least one of: an identification of the current live stream and an identification of the future live stream (See Matthews, III et al. fig. 5 units 114 channel panel and 116 time panel col. 9 lines 1-10 “The EPG GUI 110 includes a channel panel 114, a time panel 116, a program grid 118, and a program summary panel 120. Channel panel 114 provides a vertical scrolling list which displays four channel tiles 122 at any one time. Each channel tile 122 includes a channel number and a channel name (typically the network name, such as CBS and ABC), and might also include a channel logo. The channel panel 114

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defines four rows of program titles in program grid 118. Time panel 116 is a horizontal scrolling continuous time line with markings denoting half-hour time segments. Time panel 116 defines columns in program grid 118."),

and the information related to recorded material includes identification of the recorded material (See Matthews, III et al. fig. 5 unit 140 hyperlinks col. 9 line 56 - col. 10 line 13 "The EPG GUI 110 also includes hyperlinks 140 integrated as part of the grid. The hyperlinks are supplied with the program records received from the headend 22. These hyperlinks can be inserted into the channel tiles 122, program tiles 124, or the description window 128. In the FIG. 5 illustration, the hyperlink "More" is provided in the description window 128 to reference target resources that contain additional information about this episode of the Seinfeld show. Other hyperlinks in the description window 128 include "Last Week" which references a target resource containing information on the previous week episode, and "comedy club" which links to a target resource having video coverage of comedian Jerry Seinfeld performing at night clubs.").

Conclusion

The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Srivastava whose telephone number is (571) 272-7304. The examiner can normally be reached on Monday – Friday from 9 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272 – 7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vs
12/10/05

A handwritten signature in black ink, appearing to read 'Vivek Srivastava', with a large, sweeping flourish extending from the end of the signature.

VIVEK SRIVASTAVA
PRIMARY EXAMINER